

that: (1) BOUT had 100 SAMs available immediately; (2) BOUT could also provide helicopters and armor piercing rocket launchers; (3) BOUT could arrange to have a flight crew airdrop the weapons into Colombian territory using combat parachutes; and (4) BOUT and SMULIAN would charge the CSs \$5 million to transport the weapons. During one of the meetings with the CSs, SMULIAN provided one of the CSs with a digital memory stick that contained an article about BOUT, and documents containing photographs and specifications for the SAMs and armor piercing rocket launchers that SMULIAN had previously said BOUT could provide.

In between his meetings with the CSs, SMULIAN spoke to BOUT over a cellphone provided to him by one of the CSs at the direction of the DEA. These conversations between SMULIAN and BOUT were legally intercepted by foreign authorities. During one of these conversations, BOUT and SMULIAN discussed the \$5 million delivery fee for the weapons. BOUT also told SMULIAN, in coded language, that the weapons requested by the CSs were ready to be delivered. Subsequent to these phone calls with SMULIAN, BOUT engaged in multiple recorded phone calls with one of the CSs during which they arranged the March 6, 2008 meeting in Bangkok.

BOUT and SMULIAN are charged with conspiracy to provide material support or resources to a designated foreign terrorist organization. If convicted, the defendants each face a maximum sentence of 15 years' imprisonment.

The U.S. plans to pursue the extradition of BOUT from Thailand.

The arrest of BOUT yesterday was the result of close cooperation between the Royal Thai Police and the DEA. Also cooperating in this international enforcement operation were the Romanian Border Police, the Romanian Prosecutor's Office Attached to the High Court of Cassation and Justice, the Korps Politie Curacao of the Netherlands Antilles, and the Danish National Police Security Services.

Mr. GARCIA praised the investigative work of the DEA and thanked the Royal Thai Police for their assistance. Mr. GARCIA also thanked the Romanian Border Police, the Romanian Prosecutor's Office Attached to the High Court of Cassation and Justice, the Korps Politie Curacao of the Netherlands Antilles, and the Danish National Police Security Services, for their cooperation, and thanked the U.S. Department of Justice Office of International Affairs.

"Viktor Bout and Andrew Smulian agreed to arm terrorists with high-powered weapons that have fueled some of the most violent conflicts in recent memory," said U.S. Attorney MICHAEL J. GARCIA. "Today, they face charges in the United States for agreeing to provide weapons to a terrorist organization that has threatened, and continues to threaten, American interests."

"DEA and our partners now have this terrorist supporter in custody where he can no longer ply his deadly trade," said DEA Acting Administrator MICHELE M. LEONHART. "This arms trafficker was poised to arm a narco-terrorist organization, but he now faces justice in the United States."

Assistant United States Attorneys ANJAN SAHNI and BRENDAN R. McGUIRE are in charge of the prosecutions.

The charges contained in the Complaint are merely accusations and the defendants are presumed innocent unless and until proven guilty.

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